



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,941	12/11/2003	William Kress Bodin	AUS920030837US1	8707
34533 7590 10/10/2007 INTERNATIONAL CORP (BLF) c/o BIGGERS & OHANIAN, LLP P.O. BOX 1469 AUSTIN, TX 78767-1469			EXAMINER RIDER, JUSTIN W	
			ART UNIT 2626	PAPER NUMBER
			MAIL DATE 10/10/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/733,941	Applicant(s) BODIN ET AL.	
	Examiner Justin W. Rider	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. In response to the Office Action mailed 04 May 2007, applicant submitted a response filed 02 August 2007.

Response to Arguments

2. Applicant's arguments filed 02 August 2007 have been fully considered but they are not persuasive. Regarding applicant's Remarks beginning on page 3 directed toward **Bryan's** failing to teach identifying a user for a presentation ([0036], *'the login module has a registration component...'* [0068], *'and topic ratio engine 104 assigns the user a unique identifier. This identifier is important because it identifies the user...'*), the user having a user grammar ([0034], *'The audio macros create a unique grammar set for that listener, '*), the user grammar including one or more user grammar elements (e.g. abstract, *'Each user selects data sources, keywords and time intervals...'*), each user grammar element including an identifier of a structural element (i.e. data sources), a key phrase (i.e. keywords; abstract, *'Each user selects data sources, keywords and time intervals...'*) for invoking a presentation action (see **Bryan**, FIG. 3, ST3 regarding Multi-Modal Output User Interface), and a presentation action identifier representing a presentation action (see, **Bryan**, FIG. 3, ST2, 'Define Tag,' 'Define Sources,' and 'Define Macro;' *'Describe preferred operations... Lets tuner know specifically what information you want to access at the site, and how you want it formatted'*), the Examiner respectfully asserts that **Bryan** does in fact disclose the limitations of claim 1.

Regarding applicant's Remarks beginning on page 5 directed toward **Bryan's** failing to teach storing a multiplicity of user grammar elements (e.g. abstract, *'Each user selects data*

Art Unit: 2626

sources, keywords and time intervals... ') for the user in a voice response grammar on a voice response server, the Examiner respectfully asserts that **Bryan** does in fact disclose the above limitation. The multiplicity of grammar elements is disclosed as cited above (e.g. abstract, '*Each user selects data sources, keywords and time intervals...* '). The citation of paragraph [0067] is further demonstrating the element of having a physical storage facility for said grammar elements.

Regarding the remarks under Relations Among Claims on page 6 of applicant's remarks, the rejections stand as previously presented. Also, since it is clearly shown that **Bryan** does teach the limitations of claim 1 and so inherently those limitations presented in claims 9 and 17, dependent claims 2-8, 10-16 and 18-24 also stand as rejected under the same ground as presented in the previous Office Action.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by **Bryan et al. (US 2002/0146015 A1)** referred to as **Bryan** hereinafter.

Claim 1: **Bryan** discloses a method for creating voice response grammars, comprising:

i. identifying a user for a presentation ([0036], '*the login module has a registration component...* ' [0068], '*and topic ratio engine 104 assigns the user a unique identifier. This*

Art Unit: 2626

identifier is important because it identifies the user... '), the user having a user grammar ([0034], *'The audio macros create a unique grammar set for that listener, '*), the user grammar including one or more user grammar elements (e.g. abstract, *'Each user selects data sources, keywords and time intervals... '*), each user grammar element including an identifier of a structural element (i.e. data sources), a key phrase (i.e. keywords; abstract, *'Each user selects data sources, keywords and time intervals... '*) for invoking a presentation action (see **Bryan**, FIG. 3, ST3 regarding Multi-Modal Output User Interface), and a presentation action identifier representing a presentation action (see, **Bryan**, FIG. 3, ST2, 'Define Tag,' 'Define Sources,' and 'Define Macro;' *'Describe preferred operations... Lets tuner know specifically what information you want to access at the site, and how you want it formatted'*); and

ii. storing a multiplicity of user grammar elements for the user in a voice response grammar on a voice response server (p. 3, paragraph [0034], *'Dynamic grammar loading... '* (see also p. 5, paragraph [0067])).).

Claim 2: **Bryan** discloses a method as per claim 1 above, wherein identifying a user for a presentation comprises creating a data structure representing a presentation and listing in the data structure at least one user identification (p. 3, paragraph [0021]).

Claim 3: **Bryan** discloses a method as per claim 1 above, wherein the user grammar comprises a multiplicity of user grammar elements for a content type (p. 5, paragraph [0062], *'if the user is a cardiologist, the template may contain lists of medical journals from which information may be extracted. '*), the method further comprising:

i. identifying presentation documents for the presentation, each presentation document having a content type (p. 5, paragraph [0062], *' or in addition to user-tailored templates... '*); and

ii. selecting user grammar elements according to the content type of the identified presentation documents (p. 5, paragraph [0062], *'that allow users to define audio macros and data sources for these categories of information'* [emphasis supplied]);

iii. wherein storing a multiplicity of user grammar elements for the user in a voice response grammar on a voice response server includes storing the selected user grammar elements in the voice response grammar (p. 3, paragraph [0034], *'Dynamic grammar loading...'* It is inherent that if user grammar elements are being loaded upon user identification, that those grammar elements are being stored within a server or suitable storage element (see also p. 4, paragraph [0061])).).

Claim 4: Bryan discloses a method as per claim 1 above, wherein the user grammar comprises a multiplicity of user grammar elements, the method further comprising:

i. identifying presentation documents (files) for the presentation, the presentation documents including structured documents having structural element identifiers (p. 5, paragraph [0063], *'that searches Internet web pages using HTML tags and retrieves files...'* [emphasis supplied]); and

ii. selecting user grammar elements in dependence upon the structural element identifiers (p. 5, paragraph [0063], *'and retrieves files by sending HTTP GET requests...'*);

iii. wherein storing a multiplicity of user grammar elements for the user in a voice response grammar on a voice response server includes storing the selected user grammar elements in the voice response grammar (p. 5, paragraphs [0063]-[0064], *'data gathering engine 110 continuously stores data extracted from data source 112 in a cache/database...'*).

Art Unit: 2626

Claim 5: **Bryan** discloses a method as per claim 1 above, wherein the user grammar comprises a multiplicity of user grammar elements, the method further comprising:

i. identifying presentation documents for the presentation, each presentation document having a presentation grammar including presentation action identifiers (p. 5-6, paragraphs [0069]-[0071], a user grammar is associated with a voice portal that contains action identifiers (see p. 6, tables 1 & 2)); and

ii. selecting user grammar elements in dependence upon the presentation action identifiers (p. 6, paragraphs [0071]-[0072]; tables 1 & 2);

iii. wherein storing a multiplicity of user grammar elements for the user in a voice response grammar on a voice response server includes storing the selected user grammar elements in the voice response grammar (p. 3, paragraph [0034], '*Dynamic grammar loading...*' It is inherent that if user grammar elements are being loaded upon user identification, that those grammar elements are being stored within a server or suitable storage element (see also p. 4, paragraph [0061]); p. 6, paragraphs [0071]-[0072]).

Claim 6: **Bryan** discloses a method as per claim 1 above, further comprising creating a presentation document, including:

i. creating, in dependence upon an original document, a structured document comprising one or more structural elements (p. 5, paragraph [0064], '*may convert a scanned document from .pdf or .gif image into a text file or a wave audio file.*');

ii. classifying a structural element of the structured document according to a presentation attribute (p. 5, paragraphs [0064]-[0065], wherein a file can be converted into text or speech, based on attributes dealing with output formatting for presentation); and

iii. creating a presentation grammar for the structured document, wherein the presentation grammar for the structured document includes grammar elements each of which includes an identifier for at least one structural element of the structured document (p. 5, paragraph [0064, *'into a format, such as text format, suitable for searching data source 112.'*).

Claim 7: **Bryan** discloses a method as per claim 6 above, wherein classifying a structural element comprises:

i. identifying a presentation attribute for the structural element; identifying a classification identifier in dependence upon the presentation attribute; and inserting the classification identifier in association with the structural element in the structured document (p. 5, paragraphs [0064]-[0066], wherein the media format converter **116** converts user inputs (documents) into a format (speech-to-text, DTMF digits) allowing the system to identify key information based on documents (e.g. content, context, commands, etc.) which then allow the system to perform accordingly.).

Claim 8: **Bryan** discloses a method as per claim 6 above, wherein creating a presentation grammar for the structured document comprises:

i. identifying the content type of the original document (e.g. business, sports); selecting, in dependence upon the content type, a full presentation grammar from among a multiplicity of full presentation grammars (paragraph [0075]); and filtering the full presentation grammar into a presentation grammar for the structured document in dependence upon the structural elements of the structured document (p. 6, paragraphs [0070]-[0078] teaches wherein a document containing data is retrieved based on user commands (TABLE 1), upon which an output presentation is

Art Unit: 2626

created (e.g. text file, audio output) and subsequently presented to a user based on desired content.).

Claims 9-16: Claims 9-16 are similar in scope and content to that of claims 1-8 above and so therefore are rejected under the same rationale.

Claims 17-24: Claims 17-24 are similar in scope and content to that of claims 1-8 above and so therefore are rejected under the same rationale.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin W. Rider whose telephone number is (571) 270-1068. The examiner can normally be reached on Monday - Friday 7:30AM - 5:00PM.

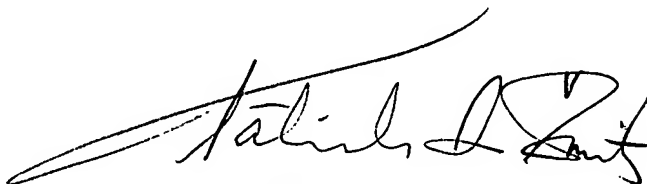
Art Unit: 2626

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

J.W.R.

04 October 2007

A handwritten signature in black ink, appearing to read 'Tāļvaldis Nars Šmits', written over a horizontal line.

TĀLVALDIS NARS ŠMITS
PRIMARY EXAMINER